

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PROKOP LABS LLC, a Washington
limited liability company,

Plaintiff,

v.

STAPLES, INC., a Delaware corporation;
STAPLES THE OFFICE SUPERSTORE
LLC, a Delaware limited liability
company; BELKIN, INC., a Delaware
corporation; BELKIN LOGISTICS, INC.,
a Delaware corporation; S.P. RICHARDS
CO., a Georgia corporation; and VELO
ENTERPRISE CO., LTD., a Taiwan
corporation,

Defendants.

Case No. 2:07-cv-01094-MJP

UPDATED JOINT STATUS REPORT

JURY TRIAL DEMANDED

Plaintiff Prokop Labs, LLC (“Prokop”), and Defendants Staples, Inc., Staples the Office Superstore LLC, Belkin, Inc. (formerly Belkin Logistics, Inc.), S.P. Richards Co. and Velo Enterprise Co., LTD. (“Defendants”), by and through their respective counsel of record, respectfully submit the following Updated Joint Status Report in response to the Court’s Order Staying Case, dated September 10, 2012, and the Court’s Minute Order Directing Parties to Provide Periodic Joint Status Reports, dated September 23, 2013. The Parties

UPDATED JOINT STATUS REPORT
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1 submit this updated status report to correct an erroneous statement in the Mar. 25 Joint Status
2 Report and to update the Court on the status of any appeal by Prokop.

3 On April 18, 2012, the United States Patent and Trademark Office ("Patent Office")
4 granted a request for ex parte reexamination of U.S. Patent No. 5,566,913 made by Defendant
5 Belkin. The Patent Office has since issued office actions rejecting the claims of the
6 '913 patent as obvious in light of prior art. Prokop then appealed the office actions to the
7 Patent Trials and Appeals Board ("PTAB"). On January 31, 2014, the PTAB issued a
8 decision affirming the examiner's rejection.

9 In the Mar. 25 report, the Parties provided that "Prokop must file a notice of appeal for
10 judicial review of the PTAB's decision with the Patent Office no later than April 1, 2014."
11 Pursuant to recently promulgated Patent Office regulations, however, Prokop had until
12 April 4, 2014 to file a notice of appeal. 37 C.F.R. § 90.3 (providing that a notice of appeal
13 must be filed within 63 days after date of final Board decision, rather than within two months,
14 as under prior regulation). In any case, Prokop filed the notice of appeal with the Patent
15 Office on March 31, 2014.

16
17 DATED: April 21, 2014.

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CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2014, I electronically filed the foregoing with the Clerk of the U.S. District Court for the Western District of Washington using the CM/ECF system which will send notification of such filing to the following:

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/s/ Kevin A. Zeck
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